

CHAPTER 3

Legal & Regulatory Framework for Water Recycling

Water recycling is accomplished in California with the involvement of many entities at all levels of government and in some cases investor-owned utilities. Water supply and wastewater districts are primarily responsible for the planning, design, and implementation of the over 200 projects operating in the State. The SWRCB and the U.S. Bureau of Reclamation have played major roles in providing capital funding for local projects. Several large regional wholesale water agencies, for example, the Metropolitan Water District of Southern California and the San Diego County Water Authority, have also provided significant financial assistance to local agencies. DWR and CALFED have incorporated water recycling in the water supply planning for the State. DWR has provided planning assistance in regional studies and a coordination and promotional role in facilitating water recycling.

Regulation of water recycling is vested by State law in SWRCB and Department of Health Services (DHS). Permits are issued to each water recycling project by one of the nine Regional Water Quality Control Boards (RWQCB) that are part of the SWRCB. These permits include water quality protections as well as public health protections by incorporating criteria established by DHS. The criteria issued by DHS are found in Title 22 of the California Code of Regulations. DHS does not have enforcement authority for the Title 22 criteria; the RWQCBs enforce them through enforcement of their permits containing the applicable criteria. To protect public drinking water supplies, DHS also has regulations to prevent cross connections between recycled water systems and potable water systems. Local health departments and DHS have enforcement authority over the DHS cross connection prevention regulations.

The applicability of the California Plumbing Code (California Code of Regulations, Title 24, Part 5) to various types of buildings and types of plumbing depends on the authorities of various State agencies that govern State-owned buildings, residential occupancies, medical facilities, schools and other occupancies. For example, the Department of Housing and Community Development (HCD) makes adoptions in the California Plumbing Code, which is based on the Uniform Plumbing Code with California amendments, for applicability to



Signs complying with State regulations help ensure the safe use of recycled water.

multi- and single-family residential occupancies. The California Building Standards Commission reviews proposed amendments to the California Building Standards Code (California Code of Regulations, Title 24), such as HCD's, and approves them for publication.

There are lesser roles for other agencies and other applicable laws that become important in specific instances. The 1996 "Memorandum of Agreement between the Department of Health Services and the State Water Resources Control Board on Use of Reclaimed Water" provides a good description of the regulatory roles and joint responsibilities of these two agencies. This document is in Appendix B. It should be noted that since 1996, a change in regulations allows operators of recycled water treatment plants consisting of only tertiary or advanced treatment processes to be certified as water treatment plant operators in lieu of wastewater treatment plant operators. Also, the authority of local health agencies to impose requirements is addressed in section II.C. The Task Force has raised this as an issue and has made Recommendation 4.3.3 to resolve it.

The most pertinent laws and regulations applicable to recycled water are found in California State codes and the California Code of Regulations. Most of these are provided in Appendix C.